# New York Store

Established 1853. Sole Agents Butterick Patterns.

# Ladies' Shirtwaist Suits....

Waists neatly trimmed, and gray and blue materials, with white polka dots-

\$2.75

Pettis Dry Goods Co.

- FOR -

# Hot Day Meals

Order some of our Fine Canned Meats-Clean,

wholesome and of fresh meats.

Chicken Loaf, 1/2 lb., 20c; 1 lb...... 35c Chicken, Ham and Veal Pate, 20c English Luncheon Sausage ... 10c per can

... THE ...

Hamburger Loaf-fine for sandwiches-

15c and 25c

162 & 164 North Illinois St.

Fancy Groceries and Meats.

Old Phones—892, 810, black 621. New Phone—892.

If you are an admirer of

call and see my collection of Ruby, Daimond, Emerald, Sapphire, Pearl, and Opal Rings. We take pleasure in showing you the finest collection in the city.

15 N. Illinois Street. The Ba'es House is across the street from me

SOME THE NEW

SCHLEICHER SMARTENS CO. N. MERIDIAN SE

EFFECTS!

## FRANK SLOAN ARRESTED.

### Taken in Charge Upon His Release from the Hospital.

Frank Sloan, who was severely injured a beer glass by Thomas Hupp, was released from the City Hospital yesterday and immediately arrested, charged with assault and battery on Hupp. It is claimed he struck Hupp before the latter hit him with

## AMUSEMENTS.

Daniel Prehman and E. H. Sothern have accepted for the latter's use next season named "Richard Lovelace," by Lawrence Irving, a son of Sir Henry row to visit Mrs. W. H. Coleman. Irving. Mr. Sothern will continue to be Miss Maitie Taylor has issued in X X X

Phyllis Rankin, who was last seen here as Fift in "The Belle of New York," is the Cadet," which has been produced in Birmingham. England. Both the piece and for Charlevoix, Mich., to spend the sum-Miss Rankin made hits, the cable says.

Edna Wallace Hopper and her brother are heirs by their mother's death to a \$75,-000 interest in the Pacific coast steamer Bristol, a \$125,000 interest in another vessel, the Wellington, mining property in British Columbia, a residence in Alameda county, California, and real estate, including coal yards, docks and wharves, in San

XXX The Sabbath committee of New York city has filed an affidavit against the management of the New York Theater on the basis that the theater has performances on Sunday. The many other theatrical managers in New York that give Sunday shows will await the decision in this case with concern, for if the New York Theater loses their licenses, too, will be in danger.

## Osteopaths Granted Licenses.

The names of osteopathic physicians that were granted licenses by the State Medical Board at its meeting in the Grand Hotel Wednesday night were announced yesterday as follows: George V. Wienstadt, South Bend; Emma P. McGarr, Anderson; Belle F. and F. W. Hannah, 333 North Alabama street, Indianapolis; George R Price, Fowler; Jennie D. and Charles A Peterson, Richmond; H. W. Chatfield, south Bend; John E. Baker, Brazil; Charles A. Rector, 821 North Senate avenue; Edward S. Goth, 631 Lemcke block, and Geo. Tuil, 66 When block, Indianapolis; Frank L. Tracy, Anderson; Julia Fogarty, West Michigan street, Indianapolis; Charle and Mattie B. C. Sommer, Muncie; J. B. Kinsinger, \$20 Stevenson building, Indianspolis; Dorcas E. McNicoll, Frankfort; Haute, will join them here and go to Alta Corbin Curry, South Bend; William McCennell, Marion; C. McLain, Terre Haute; Frank H. Smith, Kokomo.

## John Banks Expected To-Day.

John Banks, the colored Democrat who was convicted on a charge of attempting been given a new trial by the Supreme Court, is expected to arrive in Indianapolis from the Michigan City Prison to-day or co-morrow. Judge Alford, of the Criminal Court, will place his bond at \$1,000. He will be held in jall or under bond until the grand jury decides whether or not to indict him again.

## Injuries May Result Fatally.

Linn Wilson, aged twenty-three, residing at 1556 West New York street, was struck west of the city yesterday afternoon and his skull was badly fractured and his face bruised. He was taken to the City Hospital. His injuries may result fatally. He was employed as a section hand on the

## ANDREW FLEMING'S CASE

A TALK WITH THE CIRCUS MAN AT THE POLICE STATION.

Done Many Wonderful Things -Ross Case.

Andrew Fleming, of this city, who was brought from New York Wednesday, was adjudged insane yesterday, and his condition is said to be hopeless. Fleming is Skirts well shaped. In dark | well known in Indianapolis, as he spent the winters here with his family nearly all for about twenty-six years, having traveled with nearly all the circuses in the country as a ticket seller.

At the police station yesterday afternoon Fleming sat on one of the iron bunks, part of his clothes being scattered over the floor, and talked to a few friends who away at a number of small strips of musinto shreds during the night. Fleming told would not have believed he was insane, as he talked fluently at times.

A MAKER OF STREET CARS. He said: "I made \$82,000 already this year with the Sells show, and I am going to get very rich. I have been a ticket seller and made lots of money. As soon as I get out Veal Loaf, 1/2 lb., 15c; 1 lb...........25c of here I am going to begin making 500 elegant street cars myself, and will place completed I will build an electric line from New York to San Francisco, and it will be a wonder. Part of the cars I will send to Australia. I will run the cars in Indianapolis on the regular street-car tracks, won't know anything about it. I will have pretty girls for conductors and motormen, will dress them in boys' clothes, and each will wear a big diamond. I will

to ride on my cars. "At my home on Virginia avenue I have the finest wagon in the world that I made a few days ago. It is eight stories high and fifty feet long by forty feet wide. It will be drawn by six coal black horses. In this wagon there will be a jewelry store, Turkish bath, bowling alley, roof garden, barroom and I have a single board forty feet square that will be used as a dancing floor. That wagon will do a great business. Part of my money I have invested in several thousand acres of land in Texas, where I raise thousands of bales of cotton. "When I was in Providence, R. I., I was arrested. I was walking on the railroad

track and stumbled over a car coupling pin which I put in my pocket. The policem arrested me and fastened me in the patro wagon. While we were riding along I saw a fire and told the two officers with me to look at it. They jumped out of the wagon and went to the fire. I then took the coup ling pin from my pocket and beat the driv-er's head until I killed him. I dressed myself in his uniform and took his body to Chicago, where I sold it for \$150. I then went back to the show and arrested several of the canvasmen who had caused me trouble. Whenever I got in trouble I put of Louisville. Quite a number of deaf on that policeman's uniform and had things mutes were present at the ceremony.

ELKS ON HIS BOND. "The Elks' Lodge, in Boston, went on my bond, furnishing a \$10,000 'straw' bond. They told me to get out and never come back, fellows and gave them a big supper. I sent to San Francisco for one hundred dozen hard-shell crabs, and bought five hundred dozen young squabs, besides lobsters, porterhouse steaks, young chickens and other good things. I tell you I gave them a fine

"I am going to buy all the big circuses in he country and have a tent made that will be the largest in the world. Then I will make more money. I have a lot of wine on ce at a saloon here and I want a basketful of quarts and a basketful of pints to give the boys a time when I get out of here

## The Case of James Ross.

in the Ross case shows that no relative, friend or fellow-workman or ac quaintance was called as a witness in the inquest. Neither was his boarding house keeper, neighbors nor the woman to whom he was engaged to be married. The witnesses in the case were M. O. Devaney, C M. Clayton and Harry O. Jacobs, Dispensary physicians; M. D. Cullian, connected with the Dispensary, and Elizabeth Cro-non, matron of the Dispensary. The records show that practically the same witnesses and justices of the peace have appeared in 75 per cent, of the insanity commissions held during the last year.

## PERSONAL AND SOCIETY.

Mr. and Mrs. Alvin S. Lockard will leave to-day for a trip to New York. The Misses Sommers will arrive to-mor-Miss Maitie Taylor has issued invitations of a poren party for Inursuay, July 4. is the guest of Colonel and Mrs. Barnett. Mr. and Mrs. James I. Dissette left last star in a new musical comedy, 'The Gay | night for Charlevoix to spend the summer, Mr. and Mrs. John C. New left last night

> Mrs. K. Y. Vinnedge and Miss Yohn left yesterday to spend the summer at Asbury Mr. and Mrs. E. B. Martindale will leave next week for Harbor Point, Mich., to spend several weeks.

> Mrs. Harold B. Hibben entertained in formally last night for her visitors, Miss Jane Hunter and Miss Spaulding, of Terre

Prof. and Mrs. E. E. McFerren, of Terre Haute, are visiting friends and relatives in the city and will remain until after | ried last evening at the Methodist Epis-July 4. Dr. and Mrs. R. T. Laycock, who have been visiting in New York, Buffalo and

other cities in the East, returned home yesterday. The judges of the Indiana Supreme and Appellate courts were guests of Attorney General W. L. Taylor, at the Country Club,

last evening Mr. and Mrs. James R. Cavanagh will leave next week, via Lake Michigan, for Higman Park, Mich., and later go to Bay View to spend the summer. Mr. and Mrs. John S. Tarkington, Mr.

and Mrs. Ovid Butler Jameson and the Misses Crane, of New York, their visitors, and Mr. Booth Tarkington formed a dinner party at the Country Club last night. Nellie E. Wiley, daughter of Judge U. Z. Wiley, of the Indiana Appellate Court, is visiting relatives and friends in Kansas City. Miss Wiley will join a party of young women July 10 and journey to California, where she will remain about two months. Mr. and Mrs. William Henry Coleman and Miss Suemma Vajen-Coleman will leave July 17 for Jamestown, R. I., to spend the summer. Mrs. John Middleton, of Louisville, and Mrs. Harry Miller, of Terre

Jamestown with them. A party was given last night by Mr. and Mrs. Frank Buchanan and Mr. Chester Cotton at 2233 East New York street, the tome of the former. Ices and punch were served, and a mandolin club played during the evening. The hostess was assisted by Mrs. Marion Buchanan, Mrs. Fred Darov. Mrs. Charles Bone, Miss Agness Knapton and Miss Matta McDanie

Mr. and Mrs. John M. Shaw gave a garden dinner last night, entertaining in honor of Mr. and Mrs. Alvin S. Lockard. other guests were Miss Hannah Erwin, Miss Malott, Mr. and Mrs. David C. Buntin, Mr. and Mrs. Edwin Forry, Miss Tompkins of Fishkill-on-the-Hudson, Mr. George Mull, Mr. Cunning, Mr. Martindale, Mr. Keen and Mrs. Burkhardt of Cincinnati. The tables were placed under the trees and adorned with sweet peas. Japanese lanterns were strung among the trees and

lighted the porch, making a very pretty BOECHER-WACKER. last night at the residence of Mr. and Mrs.

John Wacker, No. 2444 West Tenth street,

when their daughter, Miss Florence Wack-

er, and Mr. Oscar Boecher were married before a large number of friends and relatives. The Rev. Mr. Nestle, of Zion Evangelical Church, pronounced the ceremony as an orchestra played the intermezzo from "Cawalleria Rusticana." For the entrance of the bridal party the wedding march from Mendelssohn was played. The bride was attended by Miss Alma Ungericht, Miss Alma Hermany and Miss Pearl Howard. Mr. Edward Rauch was best man. The ribbon bearers were little Hazel Ungericht and Emma Lahman, who formed an aisle with white satin ribbons from the stairway to the mantel in the first parlor, where the ceremony was pronounced. The little girls wore dainty white dresses trimmed with laces and ribbon. The mantel was very pretty with garlands of smilax and palms arranged about the base. Asparagus vines were entwined from the mantel to the walls and formed a frieze about the rooms. The bride wore a pretty gown of white point d'esprit over silk. The corsage was trimmed with orange blossoms and orange blossoms held the veil in place. the carried an arm bouquet of Bride roses. Miss Ungericht wore yellow silk organdie over yellow silk and carried yellow roses. Miss Hermany and Miss Howard wore gowns fashioned alike of pink Paris muslin over pink silk and carried pink roses. The mantels in the different rooms were pretty with a mass of foliage. In the music room the flowers used were yellow daisies, and in he dining room the scheme was pink and green. For the center of the table was a basket of pink roses, and extending from the chandeliers were garlands of smilax to the four corners, there caught with a large utterfly bow of pink satin ribbon. ideboard was adorned with pink roses and ferns. During the evening the young peoole danced on a platform arranged beneath a canopy on the lawn. Among the guests were Mrs. and Miss Heidrich, of Peoria, Ill. Mr. and Mrs. Boecher have gone on a wedding trip, and on their return will be at nome to their friends after Sept. 1 at No. 808 West New York street.

STARR-AIMAN.

Special to the Indianapolis Journal. PENDLETON, Ind., June 27 .- The marriage of James M. Starr, of Anderson, and Miss Maud Aiman, of this city, took place at the residence of the bride's mother, on East State street, last evening, the Rev. Stiner officiating. Only immediate relatives of both were present, including the parents of the groom, ex-Sheriff John Starr and wife, of Anderson, and the sister of the bride, Mrs. Elmer Tuttle, and her husband, of Indianapolis. The bride is a daughter of the late B. F. Alman and is one of the most popular of the young so-ciety women of Pendleton. The young couple will live in Anderson.

VAN FLEET-PHILLIBER. Special to the Indianapolis Journal. Church, began the ceremony to unite Mr. George Van Fleet and Miss Grace Philliber in marriage a canary, whose cage hung near, burst out in such rapturous song that the minister was compelled to pause until the songster finished its melody, the thirty lest the interruption would cause serious embarrassment on the part of the principals. Mr. Van Fleet is the youngest son of J. M. Van Fleet, ex-judge of the Elkhart

DUNHAM-LINK. Special to the Indianapolis Journal. JEFFERSONVILLE, Ind., June 27 .- Harry C. Dunham and Miss Louise R. Link, of Louisville, deaf mutes, were married at nent families, and extensive preparations were made for the event. The Rev. Frederick Chapman, of this city, said the full Episcopal ceremony, which was interpreted by the Rev. M. Johnson, a mute minister,

Circuit Court.

SIMPSON-SPURLIN Special to the Indianapolis Journal. KOKOMO, Ind., June 27 .- Ernest L. Simpson, son of Orin Simpson, of Center, Howard county, and Miss Maude Spurlin daughter of Henderson Spurlin, living two miles south of this city, were married last evening, the ceremony being by the Rev. graduate of the electrical department of Purdue University and has a position with the General Electrical Company at wedded couple will reside after the wedding

SLICK-TROXELL. Special to the Indianapolis Journal. WABASH, Ind., June 27 .- The marriage of Elmer E. Slick, a prominent young attorney and politician and a nephew of the late Judge Slick, of this city, and Miss Lena Troxell, daughter of a wealthy resident of Lagro, was solemnized at noon today. About sixty guests were present. A wedding breakfast was served and immeliately afterward Mr. and Mrs. Slick left or the East on a short tour. They will be

at home in this city on Aug. 15. WEDDED AN AUSTRIAN COUNT. BUFFALO, June 27 .- The wedding of Count Franz Josef von Larisch Moenich, of Austria, a nephew of the Emperor of ter of the late John Satterfield, Standard Oil magnate, took place this afternoon at the bride's home in Delaware avenue. There were two ceremonies. Justice Haight, of the Court of Appeals, first united the couple and the Rev. Cameron J. Davis afterward read the Episcopal mar-

STIEGLITZ-HOGAN.

Special to the Indianapolis Journal. FORT WAYNE, Ind., June 27 .- The nuptials of Miss Margaret Hogan, daughter of prominent local official of the Pennsyllitz, of Chicago, were celebrated this morning at the Cathedral by the Rev. Father Roche. Miss Genevieve Hogan and Mr. Harry Hogan were the attendants. The Mrs. Albert Alexander, of Crawfordsville, | bridal couple left in the evening for a visit to Indianapolis.

SIMMS-GREGG.

Special to the Indianapolis Journal. BRAZIL, Ind., June 27 .- Miss Lillian Gregg, cldest daughter of Professor and Mrs. J. C. Gregg, and Charles Simms were married Wednesday afternoon at the home of the bride's parents, on North Meridian street. The Rev. L. C. Bently, of the Methodist Church, officiated. After the ceremony Mr. and Mrs. Simms left over the Vandalia for a trip through the East.

M'CAIN-BELL. Special to the Indianapolis Journal. PORTLAND, Ind., June 27.-Mr. Alfred C. McCain and Miss Mary Bell, both prominent young people of Dunkirk, were marcopal parsonage in this city, the Rev. M. A. Harlan officiating.

## Henry A. Root Appointed.

Governor Durbin yesterday appointed Henry A. Root, of Michigan City, to retive committee that has charge of the dedication of the monument. Colonel Foster otified the Governor that he would be unable to serve on the committee. A meeting of the committee will be held this morning in the Governor's parlor.

## Interest in Monument Fund.

The Benjamin Harrison monument fund is growing rapidly. Responses to the letters which the association has sent out all over the United States indicate that an active interest is being taken in the project. and some of the contributions have been very liberal. Massachusetts alone sending in subscriptions amounting to \$4,255.

## Talk of Mandamus Suit.

Arthur Chandler, who came into notolety over the Decoration day road race flasco, will apply for an entry for the races to be held at Newby Oval July 4. He has been disqualified by the N. C. A., and his managers if he is not allowed to enter the | in a justice's court.

Abraham Smith, a junk peddler, residing across the railroad tracks at Ray street and the Belt yesterday afternoon, when a Vandalia switch engine struck his wagon and demolished it. Smith was thrown out of stroyed.

Wagon Struck by Switch Engine.

the wagon and his head was severely in-Association Not to Blame. dation, says no privileges for games of hance were granted by the association for A pretty home wedding was celebrated the piculc Wednesday, and that ten special

# SUIT

THE ATTORNEY TAKES THE PAPERS FROM THE COURTHOUSE.

in Secrecy-The High Courts -Other Court Cases.

Julia Glover yesterday brought suit against her husband, Charles M. Glover, for divorce. The complaint was filed by Attorney Henry J. Brandon and before it fell into the hands of reporters he had taken it away and left a receipt. When asked for the complaint he positively refused to disclose its contents and said he had forgot what the charges were in the petition. He said he had been requested by his client to keep the matter from the public

and as he had promised that nothing would reach the papers, he intended to see that it did not. Glover is a clerk employed by the Indianapolis Gas Company. The records in the county clerk's office show that he and his wife, whose maiden name was Julia Hedges, were married June 28, 1890. The contents of the complaint may probably not be made known until the trial, or until the attorney returns the papers to the courthouse. Brandon also refused to state the cause or time of separation, and said he could say nothing regarding the com-

HIGH COURT DECISIONS.

### Evansville Street-Railroad Company Escapes Paving Bills.

empt the Evansville Street-railway Company from paying for paving between its constitute "due process of law;" and the tracks. The court rendered this decision without construing the street-car company's contract with the city. A property owner brought suit for a mandamus to compel the Board of Public Works of ELKHART, Ind., June 27.—Just as the Evansville to assess a proportionate part Wayne C. C. Affirmed. Hadley, J.—A bill for the improvement was made up the city attorney advised the Board of Works that the street-car company's contract with the city did not require it to pave between its contrary made by a citizen was in the rehearing overruled mandamus proceeding, which the Supreme Court held to be too late, saying that the Same objection should have been made when the assessments were confirmed. Frank E. Williams, a prisoner in the Jef- | pellate Court.

fersonville Reformatory, yesterday lost his habeas corpus suit against Superintendent Hert. He based his demand for release from the Reformatory on an error committed by the trial judge in trying him without a jury. The Supreme Court declared that he ought to have taken an appeal from the original judgment of conviction instead of bringing a habeas corpus The Appellate Court decided yesterday in the case of Loring Williams against the brief (8).

Board of Commissioners of Henry county that counties must pay for postage stamps necessarily used by county officers in conducting the business of their offices.

## Argument in Saloon Case.

The Supreme Court yesterday granted petitions for oral argument of the two appeals made by Daniel B. Rowland from judgments secured against him in Putnam county by the city of Greencastle. Rowland was the city of Greencastie prescribing certain limits in which no saloons should be con-Schenectady, N. Y., where the newly maintaining a saloon and in the other case of selling liquor illegally. The Supreme ourt recently reversed the cases, holding that the City Council had no power to pass such an ordinance, but yesterday the court decided to grant a rehearing of its decision, and at the same time directed that the oral argument be set for Friday, Oct. 4, 1901.

## Right-of-Way Case Postponed.

The hearing of the suit of the I. & V. Railroad against the Indianapolis & Martinsville Rapid-transit Company-Charles Tuesday. The I. & V. asks for an injunction to prevent the electric company from infringing on its right of way. The steam road has a right of way of 100 feet in "bumps." The electric company argues that the right of way should be but forty steam road claims a right to all of the way whether it is in use or not.

## In the Probate Court.

The will of Helen Elizabeth Gordon, probated yesterday, leaves her property in Richmond, Ind., to be held by George Brown of the estate is to be divided between pellants with him to give this court juris-Everett and Joseph Brown. Her household furniture and personal belongings, including several diamonds and pieces of jewelry, are left to various friends. Flavius J. Van Vorhis was appointed executor of 3756. Williams vs. Board of Commissionthe will and gave a bond of \$1,000. Claudie Ballard was appointed adminisand gave \$100 bond.

## A Quickly Handled Divorce Case.

One of the quickest divorces granted the county for some time was in the case of Mary S. Johnston against her husband, Ulysses S. G. Johnston, when Judge Mc-Master yesterday handed down a decree. The case was filed Monday and the decree granted yesterday. The plaintiff alleged that Johnston had used profane and offensive language in the presence of herself and children, and that he had been cruel.

## Two Damage Suits Filed.

Ida Zeller yesterday sued the street-car company for \$15,000 for injuries she alleges she sustained by being thrown from a car that started too soon when she was in the act of alighting.

John T. Hodges brought suit against the street-car company for a similar amount. He avers that while he was standing on a step of a car getting ready to alight the car started and he was thrown to the pavement, sustaining permanent injuries.

## Greenberry Walker Sued.

Emma Walker yesterday filed a petition | pellant's brief ((8). against Greenberry Walker to sell his real estate and for support. She avers that they were married last March, and after living together a few days he deserted her. She alleges that he has failed to provide for her and that he has two teams that each him \$6 a day and is the owner of property valued at \$1,000. She asks that the property be sold and that she be given an allowance for support.

#### Malicious Prosecution Alleged. Thomas Huston yesterday filed suit

against Josephine and Rudolph Marchal Judgment against defendant for costs. prosecution. He avers that the defendants had him arrested last full on a charge of defrauding them out of a board bill, and rows; Leffingwell et al. vs. Hall; McCreery attorney will try to mandate the track says that he was acquitted of the charge vs. Nordyke et al.; The Procter & Gamble

## Wants an Injunction.

against Cornellus S. Neimeler for an inat 2228 West Morris street, was driving junction. She avers that the defendant is hauling gravel from her premises and unless restrained by the court will continue to haul gravel until her property is de-

#### THE COURT RECORD. SUPREME COURT

19323. Gorman vs. State ex rel. Koester. When an assessment list for the improvement of a public street is made out and filed by the Board of Public Works, as sessing each parcel of abutting real estate policemen were engaged to preserve order. for its proportion of the cost according The association did all in its power to to frontage, it is a prima flacle charge of



The Supreme Court yesterday rendered and determining the question as to the decision the effect of which was to ex- | proper amount of the assessment, and the statutory notice and hearing is sufficient to into the correctness of the assessment col-

Williams vs. Hert. Clark C. C. Affirmed. Monks, C. J.-Error of the trial court in denying a trial by jury can only 19490. Beall vs. Union Traction Company Rev. A. U. Ogilvie, of the Congregational of the cost of paving Washington avenue be filed with the clerk, after it is settled and signed by the judge, to become a part Rowland vs. City of Greencastle. Putnam C. C. Rehearing granted.

> Putnam C. C. Rehearing granted. 18951. Wayne, etc., Bank vs. Gas City, tracks. The first formal declaration to the etc., Company. Grant C. C. Petition for 19240. Adams vs. State. Sullivan C. C. Symms vs. National, etc., Association. Henry C. C. Transferred to Ap-19621. State of Indiana vs. Hindman. Greene C. C. Leave granted to withdraw

> > -Minutes.-19644. D. H. Davis Coal Co. vs. Samuel Polland. Clay C. C. Petition of Kokomo etc., Co. and Montieth for leave, etc., granted. Brief of appellant Montieth (8). Brief of appellee Kokomo, etc., Co. (8). 19663. State of Indiana vs. James Comer. Clinton C. C. Appellant's statement and

13475. John W. Elam, receiver, vs. Pat-rick J. Sexton et al. Laporte C. C. Appellant's reply brief (8). 19525. Samuel Weicht vs. State of Indiana. Steuben C. C. Appellee's motion to trans--New Case.-

19680. Heber M. Fried et al. vs. Johnson Nelson. Kosciusko C. C. Record. Assignment of errors. Notice. -Oral Arguments.-18882 and 18883. Daniel B. Rowland vs.

City of Greencastle. Friday, Oct. 4, 1901. APPELLATE COURT. Jordan vs. Indianapolis Water Com-Marion S. C. Reversed, Wiley, C. J.-I. An agreement or contract is not binding on either party unless both are bound. 2. In actions upon unilateral con-tracts it is only where the defendant has had the benefit of the consideration for which he bargained that he can be bound 3. In the absence of mutuality in a contract it cannot be enforced. 4. A contract to be mutual must be binding upon both parties and be capable of specific performance by each party against the other, or for damages for failure to perform the

Cleveland, etc., Railway Company vs. Penketh. Madison S. C. Reversed per curiam .- 1. The crossing of a highway by a railroad track is a place of known danger and a traveler on the highway must approach it as such under the apprehen-sion that a train is liable to cross at any moment, and the traveler is negligent if he, by the use of his faculties, may avoid an breadth in some places and the electric accident. 2. All reasonable presumption company wants to cut through these must be indulged against the special answers and in support of the general verdict, to court and if the verdict, thus supported, is not in feet and only such as is in use, while the irreconcilable conflict with the special answers it must stand. 3. A person in at-tempting to cross railroad tracks at a crossing should be held to the exercise of ordinary care and prudence under all the circumstances, and if in good faith and ordinary care and prudence he acts upon appearances and is deceived thereby negligence will not be imputed to him 4004. Hewitt vs. Mills. Whitley C. C. Dismissed. Hanley, J.-1. In vacation appeals it is necessary that appellant make all his co-parties to the judgment co-ap-

diction. 2. Where the person in whose favor a judgment is rendered dies before . C. Reversed. tratrix of the estate of John C. Ballard is in no sense compensation for his services, and when he asks the county to pay back money he has expended for postage in transacting public business he is not asking pay for services. 2. Postage stamps are classed with "necessary supplies" to be furnished a county clerk by the county. 3810. Boyle vs. Wizel. Switzerland C. C. Affirmed per curiam.-When there is no error in the record and it appears that a correct conclusion was reached by the trial court the judgment will be affirmed. 3815. Equitable Trust Company vs. Mil

ligan. Marion S. C. Motion to strike from cross-errors overruled. 3268. Independent, etc., Gas Company vs. Long. Boone C. C. Petition for rehearing overruled William J. Holliday vs. Charles J Gardner, Marion S. C. Petition for rehearing overruled. Dissenting opinion, Robey, J Seisler vs. Smith. Wabash C. C. Petition for rehearing overruled. 3726. C., I. & E. Railway Company vs.

overruled

tition for rehearing overruled, -Minutes.-The Indianapolis Street-Ry. Co. vs. Samuel J. Wilson. Johnson C. C. Appel-3656. Creamery Package Mfg. Co. vs. Marcus Hotsenpiller. Randolph C. C. Ap-3991. The Cincinnati, Hamilton & Indian-

3403. Whiting vs. Zitz. Porter S. C. Pe-

apolis Ry. Co. vs. Ida Worthington. Rush C. C. Appellee's brief (9). SPERIOR COURT. Room 1-John L. McMaster, Judge. Elmer E. Nichols vs. William J. Laughner; on account. Finding and judgment for

plaintiff against defendant for \$331.76 and David W. Pierson vs. Clara Shelby; on note. Dismissed and costs paid. Israel Conarroe vs. William T. McCarty; damages. Plaintiff dismisses at his cost. Mary S. Johnston vs. Ulysses G. Johnston; divorce. Decree granted plaintiff. The following cases were dismissed on call: Fatout vs. Rusie et al.; City of Indianapolis vs. Patterson; Equitable State Building and Loan Association vs. Bar-Company vs. Krag-Reynolds Company Martin Wagner Company vs. Krag-Rey holds Company; Skillman vs. Prange Smith vs. Blair et al.; Maus vs. Hanable Alice Dunnington yesterday brought suit Lease vs. Citizens' Street-rallway Company; Borcourt vs. City of Indianapolis; illy & Stalnaker vs. Collins; Spencer vs. City of Indianapolis; Stout vs. Pacific Mutual Life Insurance Company; Cohn vs. Swartz; Nickerson vs. New York Investment Company; Pressley vs. Kaminsky Benloehr vs. McMullen; Darrach vs. Siddall: Goodrich vs. City of Indianapolis Smith D. Mfg. Company vs. Brade; Patterson vs. Patterson; Valentine vs. Lehr et al.; Mahan vs. Mahan; Berry vs. Hammer; Able vs. Able; Stearns vs. Stearns; Johnson Taylor; Nysewander vs. Canfield; Vorhees vs. Sweetland; Bowen vs. Woodbury.

Room 3-Vinson Carter, Judge. preserve order and keep out undesirable to frontage, it is a prima flacle charge of the amount the owner shall pay; said Judgment against plaintiff for costs, board is the proper tribunal for hearing. Thomas Morgan vs. Richard Talbet at

Can not be cured when the disease has reached the last stages, when the kidneys are decayed. The best time to treat this treacherous disease is in its early stages, when the first symptoms appear. Is your skin yellow and parchment-like? Is there a peculiar puffiness under the eyes? Have you a drawn and haggard appearance? Have you an impending sense of illness? These are all symtoms of Bright's Disease. McLEAN'S LIVER AND KIDNEY BALM will cure Bright's Disease in all its early stages, and restore the affected parts to a healthy, normal condition. At all druggists, \$1.00 per bottle. Made by

The DR. J. McLEAN MEDICINE CO., St. Louis. Mo.

al.; mechanic's lien. Finding for defendant. Judgment against plaintiff CIRCUIT COURT. Henry Clay Allen, Judge.

John S. Booth vs. William A. Ford; to cancel bill of sale. Taken under advise-Thomas A. Goodwin et al. vs. Anthony T Bradley; ejectment. By agreement of par-ties cause transferred to Room 1, Superior

Mary Foley vs. Mary O'Connor's Estate. Claim allowed by agreement of parties for \$371 at cost of estate. Joseph Shissler vs. Lorenz Leppert et al.; from justice court. Submitted to court. Taken under advisement. State ex rel. Pearl Joliff vs. James Hess; bastardy. Submitted to court. Taken under advisement Frederick W. Van Slyke vs. Charles A Wallingford; from justice court. Submitted

NEW SUITS FILED. The Marion Bond Company vs. Frances M. Beck; improvement flen. Superior Emma Walker vs. Greenberry Walker; petition for sale of real estate and support. Superior Court, Room

Thomas Huston vs. Josephine Marchal et al.; damages. Demand, \$1,000. Superior Court. Room 1. Julia Glover vs. Charles Morton Glover divorce. Superior Court, Room 2. Alice Dunnington vs. Cornelius S. Neimeier; injunction. Superior Court, Room 3 Helen Olga Kirk vs. John A. Kirk; divorce. Superior Court, Room 2. John T. Hodges vs. Indianapolis Streetrailway Company; damages. Demand, \$15,-000. Superior Court, Room 2. The Marion Bond Company vs. Phil -1. A claim by a county clerk for postage | Watson; improvement lien. Superior Court, Ida Zeller vs. Indianapolis Street-railway Company; damages. Demand, \$15,000. Su

## FORTY-NINE CORPORATIONS.

perior Court, Room 1.

In Some Instances Increased Assessments Are Made.

Following are the assessments completed files appellee's brief and assignment of by the County Board of Review at yesterday's session: Blanton Milling Co ..... \$31,000 Commercial Electric Co..... 25,580 Hitz Baking Co .. Holt Ice and Cold Storage Inland Chemical Co..... Indiana Paper Bag Co ..... 20,000 Indpls Wood Ornament and Loer. Grant C. C. Petition for rehearing Refrigerator Co..... ndpls Terra Cotta Co... Indianapolis Steel Roofing and Corrugating Co...... 12,815 Indpls Tobacco Works ...... Indpls Board of Trade. 66,300 Indpls Malleable Iron Works Indpls Transfer Co..... Indpls Bleaching Co..... Induls Millinery Co ... Inpls Journal Newspaper Co. Indpls Sentinel Co... 25,000 Incols Coffee and Spice Co .. Isgrigg Lumber Co..... Island Coal Co..... Jersey Bulletin Co..... Journal Job Printing Co ..... Kahn Tailering Co...... 20,000 Kaufman Fertilizer Co ..... Kiefer A. Co ..... Kingan Provision Co...... Kinsey L. A. Co..... Knight & Jilson Co .. 171,550 Knights and Ladies of Honor Co. Kramer Mfg Co..... La Putra Development Co.. La Putra Plantation Co ..... Law Building Co ... Laycock T. B. Mfg Co ..... 79,750 Levey Bros. Co..... Lieber H. Co. Long-Knight Lumber Co ....

## The Monument Is Completed.

\*\*\*\*\*\*\*

20,475

61,660

McKee Shoe Co.

McCoy-Howe Co..

Marion Trust Co.

McNamara-Koster Co.....

Marion County Title Co ....

Maas-Neimeyer Lumber Co.

Merritt George Co.....

Murphy-Graffety Co.....

National Casket Co.....

Mullen-Blackledge Co...... 24,625

Union Trust Co...... 575,000

J. S. Culver, the Springfield, Ill., contractor who generously offered to erect a handsome monument over the grave of Nancy Secretary Taylor, of the Grocers' Asso- Vanderburg S. C. Reversed. Baker, J.-1. vs. Johnson; Casey vs. Henry; Taylor vs. Hanks Lincoln, mother of Abraham Lincoln, in Spencer county, notified Governor Durbin yesterday that the monument is completed and ready to be turned over to Lewis Taylor vs. Indianapolis Street-rail- | the commission appointed by the late Governor Mount to have control of it. The monument's foundation, which is six feet Thomas Morgan vs. Richard Talbot et under ground, is made from Graffton granCLEARANCE SALE

## Pianos \$165 and up WULSCHNER'S 128 and 130 N. Penn. St.

ite taken from the temporary vault that for eighteen months held the remains of Mrs. Lincoln's distinguished son while the new national monument was being constructed The first base of Mrs. Lincoln's monument is made of Barre granite and the second base of Quincy granite. Governor Durbin is expected to call the commission together shortly to fix upon a date for holding dedication ceremonies over the new monument

## CITY NEWS ITEMS.

Mr. Newell Lodge is spending this week at Niagara and New York city. Mr. G. B. Groesbeck, of Cincinnati, has been visiting Mr. Pax. Hibben for the last

Ex-County Treasurer W. H. Schmidt and Colonel James R. Henry went to Tennessee yesterday on a business trip. The Woodruff Place Feast of Lanterns netted over \$1,000 for the Free Kindergarten Society. The receipts are larger than those of any similiar event. The floral parade to be given in connec

tion with the Fall Carnival will be in charge of the Flower Mission and the expenses that would be incurred by employing an outsider will be given to that so-The pastor and officers of the Memorial Fresbyterian Church joined in a luncheon

yesterday at the Commercial Club. Rev. Frank O. Ballard sat at the head of the table and summer vacations were discussed by those present. County Assessor Jefferson says that 400 residents of Indianapolis will be prosecuted for the nonpayment of dog taxes. All the cases will be filed in justices' courts, and

the fine and costs in such cases generally amount to \$15 in each case. The Little Light Bearers' Band of the Central-avenue Church will hold their annual party with Mrs. George Richards, 1313 Park avenue, this afternoon from 3 to o'clock. Mothers and their little ones are welcome. Lunch will be served.

The suit of Douglass Mitchell against the Citizens' Street-railroad Company which has been pending in the United States Court, was dismissed yesterday. The suit involved the constitutionality of the 3-cent fare law, passed by the Legislature in 1897.

The ladies of the Third Christian Church will give a "Trip Around the World" for members and their friends this evening. The first train will leave the church at ? o'clock and every fifteen minutes thereafter until 9:30. The trains will stop at Boston, China, California and wind up at the north pole and serve refreshments at

each station. Ed Mansfield reported to the police las night that the bodies of several babies had been found in a closet at No. 1313 East Michigan street, in a house occupied by William Cummings. The police found the body of a six-months-old child in a pickling bottle owned by Dr. Martin, who formerly

occupied the house and has his furniture stored there. The first performance of the mimic naval pattle will be given at Broad Ripple next Sunday night at 9 o'clock. The battle will be a reproduction of the naval battle of Santiago. The Spanish forts will be tocated on the opposite shore from the park. The American fleet will be on blockading duty and as the vessels move down the river they will be discovered by the forts. from which the firing will begin. The American fleet will return the fire and when the fort is captured there will be a great explosion, followed by fireworks.

### There will be special fireworks the night of July 4 in addition to the mimic naval battle.

The Successful Bidders. Quartermaster General Foster gave out last night a list of successful bidders for contracts to furnish supplies needed by the Indiana National Guard during its camp of instruction at the fair grounds July 20-27.

Kothe, Wells & Bauer, groceries; Columbia Grocery Company, coffee; Hitz Baking Company, hard bread; Peter F. Bryce, soft bread; J. W. Newman & Co., potatoes, onions and cabbage; Nelson, Morris & Co., fresh and corned beef; Coffin, Fletcher & Co., bacon; Consumers' Ice Company, ice; Frank E. Janes, forage; J. C. Castleton, wood, Major William H. Kershner, of Brigadier General McKee's staff, is commissary of subsistence and will super ntend the giving out of supplies to the